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SCHATZBERGER Shaike

Serial No.: 10/517,768

Filed: December 27, 2004

For: **METHOD AND APPARATUS FOR POSITIONING
A SURGICAL INSTRUMENT**

Examiner: VRETTAKOS, PETER J

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**



Group Art Unit: 3739

Attorney Docket: 29097

Sir:

Enclosed is a PTO Form 1449 which lists citations which may be material to the patentability and examination of the above identified application. Also enclosed are copies of the references cited, other than U.S. Patents and U.S. patent applications. These are submitted in compliance with the duty of disclosure defined in 37 CFR 1.56, 37 CFR 1.97 and 37 CFR 1.98. The Examiner is requested to make these citations of official record in this application.

The undersigned states:

A.: NO CERTICATION OR FEE DUE

☐ This Information disclosure Statement is being filed within three months of filing a national application or entry of a national phase of an international application; or before the mailing date of a first Office action on the merits of the above-identified application. Accordingly, no fee or Certification is believed due. However, if a fee is due, authorization to deduct such fee from the Deposit Account 501407 of the undersigned is hereby provided.

B. CERTIFICATION (if appropriate)

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.

C. FEE (if appropriate)

☒ Please charge the fee of \$180 set forth in 37 CFR 1.17(p) to Deposit Account 501407.

This Information Disclosure Statement under 37 CFR 1.56 is not to be construed as a representation that a search has been made, that additional matter which is material to the examination of this application does not exist, or that any one or more of the citations listed constitutes prior art.

Respectfully submitted,

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Dated: May 26, 2009

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